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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 12 March 2007 from the Permanent Mission of the Republic of Korea to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Korea to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and, with reference to the latter's note dated 7 February 2007, has the honour to submit the report of the Republic of Korea on the implementation of the measures set out in Security Council resolution 1737 (2006) (see annex).

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Annex to the note verbale dated 12 March 2007 from the Permanent Mission of the Republic of Korea to the United Nations addressed to the Chairman of the Committee

Report of the Republic of Korea on the Implementation of Measures Set Out in United Nations Security Council resolution 1737 (2006)

- Operative paragraph 19 of United Nations Security Council resolution 1737 (2006) decided that all states shall report to the Security Council on the steps taken with a view to implementing effectively UNSCR 1737. The Republic of Korea (ROK) would like to inform the Security Council that it is implementing all necessary measures decided upon in UNSCR 1737.

Implementation

Operative paragraph 3:

Decides that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of all items, materials, equipment, goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, namely:

(a) those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814;

(b) those set out in sections A.1 and B.1 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814, except the supply, sale or transfer of:

(i) equipment covered by B.1 when such equipment is for light water reactors;

(ii) low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;

(c) those set out in document S/2006/815, except the supply, sale or transfer of items covered by 19.A.3 of Category II;

(d) any additional items, materials, equipment, goods and technology, determined as necessary by the Security Council or the Committee established by paragraph 18 below (herein "the Committee"), which could contribute to enrichment-related, or reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems;

Operative paragraph 4:

Decides that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of the following items, materials, equipment, goods and technology:

(a) those set out in INFCIRC/254/Rev.7/Part 2 of document S/2006/814 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities;

(b) any other items not listed in documents S/2006/814 or S/2006/815 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapons delivery systems;

(c) any further items if the State determines that they would contribute to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding;

Operative paragraph 5:

Decides that, for the supply, sale or transfer of all items, materials, equipment, goods and technology covered by documents S/2006/814 and S/2006/815 the export of which to Iran is not prohibited by subparagraphs 3(b), 3(c) or 4(a) above, States shall ensure that:

(a) the requirements, as appropriate, of the Guidelines as set out in documents S/2006/814 and S/2006/985 have been met; and

(b) they have obtained and are in a position to exercise effectively a right to verify the end-use and end-use location of any supplied item; and

(c) they notify the Committee within ten days of the supply, sale or transfer; and

(d) in the case of items, materials equipment, goods and technology contained in document S/2006/814, they also notify the IAEA within ten days of the supply, sale or transfer;

Actions taken or to be taken

- The ROK Government had already established a range of legislative and executive measures that ensure compliance with the requirements set out in operative paragraphs 3, 4 and 5 of UNSCR 1737 and will continue to complement and strengthen those measures.
- The Republic of Korea is a member of all international non-proliferation and export control regimes relating to nuclear, chemical and biological weapons missiles and conventional weapons, such as the Nuclear Suppliers Group (NSG), the Missile Technology Control Regime (MTCR), the Australia Group (AG), the Zangger Committee (ZC) and the Wassenaar Arrangement (WA). Through participation in these multilateral regimes, the Republic of Korea has been implementing strict export and import controls over nuclear, chemical and biological weapons, missiles and related materials in conformity with international standards.
- Major laws and regulations on export controls of the Republic of Korea include the *Foreign Trade Act, Technology Development Promotion Act, Atomic Energy Act, Defense Industry Act*, and their related regulations. The *Combined Notice of Export/Import of Strategic Items and Technologies* covers all controlled items from the five multilateral export control regimes (the NSG,

MTCR, AG, ZC and WA), and provides for detailed export and import control regulations, and specification of controlled items.

- The ROK Government established its export control system for strategic items in 1992. The system has been strengthened and expanded over the years. Since January 2003, the catch-all system, which controls the export of non-controlled items and technologies that could be used for the development of nuclear, chemical and biological weapons, missiles and related materials, has been in force. Furthermore, a comprehensive revision of the *Foreign trade Act* was undertaken in September 2003, and the *Combined Notice of Export/Import of Strategic Items and technologies* was wholly amended in October 2004 so as to fully meet international standards.

- In light of the increasing importance of the issue worldwide, the Ministry of Commerce, Industry and Energy established the Strategic Items Control Division in February 2004 to reinforce export controls on strategic items. Furthermore, the Strategic trade Information Center (STIC), a special organization affiliated with the Korea International Trade Association, was established in August 2004 to assist companies in the conduct of business related to strategic items. The Center operates an online Strategic Trade Information System (www.yestrade.go.kr) jointly with the Ministry of Commerce, Industry and Energy to assist companies in exercising voluntary export controls by providing relevant information online regarding preliminary reviews, export licensing procedures, global trends and domestic regulations governing strategic items.

  - The Ministry of Commerce, Industry and Energy is currently transforming the Strategic Trade Information Center into the Korea Strategic Trade Institute to enhance expertise on export controls and strengthen support for companies. The transformation is expected to be completed in June 2007.

- Once the Security Council or the sanctions Committee established pursuant to operative paragraph 18 of UNSCR 1737 notifies the ROK of any additional control items, the items will be controlled on an equal basis with items controlled by the *Combined Notice of Export/Import of Strategic Items and Technologies*.

- The ROK Government will examine end-users and their declared use of the exported items. It will inform the Sanctions Committee and IAEA, once it reaches a decision to grant export permission.

- The individuals and entities designated by the Security Council have been listed in the *Database List of Persons and Entities Not Suitable for Export of Strategic Items* of the Ministry of Commerce, Industry and Energy. The individuals and entities to be designated by the Security Council or the Sanctions committee will also be added to the *Database List*.

- The Ministry of Construction and Transportation incorporated the controlled items under UNSCR 1737 into the list of prohibited items in the *Guidelines on Approval of Aircraft Passing through the Territorial Airspace* under the *Aviation Act*. The Ministry of Maritime Affairs and Fisheries notified all Korean shipping companies of UNSCR 1737 to prevent shipment of the items prohibited by UNSCR 1737.

Operative paragraph 6

Decides that all States shall also take the necessary measures to prevent the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology specified in paragraphs 3 and 4 above;

Actions taken or to be taken

- The Ministry of Commerce, Industry and Energy has revised the *Foreign Trade Act* to provide a legal basis for controlling brokering. The revision is expected to come into force in April 2007. The Ministry of Science and Technology is currently revising the *Technology Development Promotion Act* and its related regulation to provide a legal basis for controlling intangible technology transfers. The revision is expected to come into force in June 2007.

Operative paragraph 7:

Decides that Iran shall not export any of the items in documents S/2006/814 and S/2006/815 and that all Member States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran;

Actions taken or to be taken

- None of the items indicated in documents S/2006/814 and S/2006/815 has ever been imported from Iran to the Republic of Korea. The ROK Government has been further strengthening guidance and supervision to companies to prevent the procurement of such items.

Operative paragraph 10:

Calls upon all States to exercise vigilance regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee of the entry into or transit through their territories of the persons designated in the Annex to this resolution (herein "the Annex"), as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities and for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 above, except where such travel is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) above;

Actions taken or to be taken

- The ROK Government has taken measures to monitor the entry into or transit through its territories of twelve persons designated by the Security Council and the ROK Government will notify the Sanctions Committee of the entry

into or transit through its territories of the persons designated by the Security Council.

Operative paragraph 12:

Decides that all States shall freeze the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, that are owned or controlled by the persons or entities designated in the Annex, as well as those of additional persons or entities designated by the Security Council or by the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or the development of nuclear weapon delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and that the measures in this paragraph shall cease to apply in respect of such persons or entities if, and at such time as, the Security Council or the Committee removes them from the Annex, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of these persons and entities;

Actions taken or to be taken

- On 5 February 2007, the ROK Government revised the *Public Notice for International Peace and Security* for freezing of funds, other financial assets and economic resources that are owned or controlled by the persons or entities designated by the Security Council or by the Sanctions Committee.

Operative paragraph 17:

Calls upon all States to exercise vigilance and prevent specialized teaching or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems;

Actions taken or to be taken

- The ROK Government has notified all relevant authorities and institutes not to teach or train Iranian nationals of disciplines which could contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems. Moreover, the ROK Government will further strengthen the implementation of the *Combined Notice of Export/Import of Strategic Items and Technologies* to prevent such specialized teaching or training of Iranian nationals.